

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 1641
Jensen, Wayne A.)
Hunter, Shirley, Wu) Examiner: Cheu, Changhwa
Sverlow, Karen) Customer No.: 26949
Andrews, Janet S.)
Serial No.: 10/550,563)
Confirmation No.: 8347)
Filed: September 27, 2005)
Atty. File No.: DI-13-C6-PUS)
For: "NOVEL ANTI-FELINE ALBUMIN
ANTIBODIES"

DECLARATION OF
REXANN S. FRANK
Under (37 CFR§1.68)

CERTIFICATE OF ELECTRONIC TRANSMISSION
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
ELECTRONICALLY TRANSMITTED VIA USPTO EFS,
ADDRESSED TO MAIL STOP AF, COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, THIS
15 DAY OF OCTOBER 2008.

By: Susan Gordon
SUSAN GORDON

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I, Rexann S. Frank, residing at 10317 North County Road 13, Wellington, Colorado, 80549, declare the following:

1. I am a Scientist in the Materials Development Group at Heska Corporation located at 3760 Rocky Mountain Avenue, Loveland, Colorado, 80538.
2. I provided seed stocks of the hybridoma cell line that produces the H425 antibody ("H425 hybridoma cell line") to the Product and Materials Development Bioprocessing Core at Colorado State University (CSU) located in Fort Collins, Colorado 80528, for expansion.
3. I received the expanded H425 hybridoma cell line from the Product and Materials Development Bioprocessing Core at CSU and sent stocks of this expanded hybridoma cell line to the ATCC for deposit.
4. The H425 hybridoma cell line deposited with the American Type Culture Collection (ATCC) on September 17, 2008, and having the ATCC Patent Designation Number

PTA-9498, produces the monoclonal antibody identified as H425 in the specification of Application Serial No. 10/550,563.

I understand that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the subject application or any patent resulting therefrom. I declare that all of the foregoing statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

Respectfully submitted,

Dated: October 14, 2008



Rexann S. Frank
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